

1 **WORKERS' COMPENSATION CLAIMS AMENDMENTS**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Ken Ivory**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill enacts provisions related to claiming workers' compensation benefits.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ makes it unlawful for a person to:
- 13 • interfere with an employee's ability to seek workers' compensation benefits; or
 - 14 • retaliate against an employee for seeking workers' compensation benefits; and
- 15 ▶ provides penalties for violating a provision of this bill.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **34A-2-114**, Utah Code Annotated 1953

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **34A-2-114** is enacted to read:

26 **34A-2-114. Unlawful interference -- Penalties.**

27 (1) A person may not:



28 (a) impede or diminish an employee's efforts to file a claim under this chapter or
29 Chapter 3, Utah Occupational Disease Act; or

30 (b) intimidate, coerce, or harass an employee with the intent of preventing the
31 employee from filing a claim under this chapter or Chapter 3, Utah Occupational Disease Act.

32 (2) An employer may not suspend, discharge, discipline, threaten to discharge or
33 discipline, discriminate against, or otherwise retaliate against an employee who:

34 (a) claims or attempts to claim workers' compensation benefits under this chapter or
35 Chapter 3, Utah Occupational Disease Act;

36 (b) reports an employer's noncompliance with a provision of this chapter or Chapter 3,
37 Utah Occupational Disease Act; or

38 (c) testifies or intends to testify in a workers' compensation proceeding.

39 (3) In accordance with Title 63G, Chapter 4, Administrative Procedures Act, the
40 division may impose a fine of up to \$10,000 for each violation of Subsection (1) or (2).

Legislative Review Note
Office of Legislative Research and General Counsel